



Town of Moultonborough Planning Board

Notice of Decision

Site Plan Revision

**CruCon Real Estate Holdings, LLC
67 Whittier Highway/Tax Map 141, Lot 10**

July 9, 2014

Applicant: CruCon Real Estate Holdings, LLC
PO Box Cruises
Center Harbor, NH 03226

Location: 67 Whittier Highway (Tax Map 141, Lot 10)

On July 9, 2014, the Planning Board of the Town of Moultonborough opened a public hearing on the application of **CruCon Real Estate Holdings, LLC** (hereinafter referred to as the "Applicant" and/or "Owner") to permit the proposed change of use to approx. 3000 sq. ft. area for employee only daycare and approx. 10,000 sq. ft. area for continued office use, with changes in traffic flow, parking and parking designations by striping, removal of pavement and addition of fenced play yard, removal of above-ground propane tanks and replacement by UG propane, relocation of dumpster to rear on pad, fenced and screened, addition of landscaping and screening elements, and finally retrofit of both pole and building lighting to meet ordinance requirements for cut-off and full cut-off, all located in the Commercial A Zoning District. The public hearing was held on July 9, 2014 and by a vote of six (6) in favor (J. Bartlett, Kumpf, S. Bartlett, Charest, Quinlan, and Wakefield); none (0) opposed, approved the Site Plan Revisions and **GRANTED** the waiver request to not provide an amended traffic impact analysis memo, subject to the following conditions:

1. Specific Conditions

1. Revising note #1. in this manner: Some deviation from this plan is allowable providing that the same number, *caliper and height* of trees and shrubs or more are planted in a similar density and location as shown....
2. Revising note #2. in this manner: Delete first sentence.
3. Requiring additional "infill" shrubs/lower evergreen between the frontage 'crab apple trees.
4. Revised site plan prior to the Chair signing the plan:
 - a. Add the surveyor's stamp with signature.
 - b. Add the owner's signature.
 - c. Submit a detail of the sign face design.
 - d. Add a note stating that the site is located in the Groundwater Protection Overlay District.
 - e. Add a note that states that all notes and requirements of the previous revision still apply.

- f. Add Fire Lane Signage to the plan (one area).
5. The final plan be submitted to the Development Services Office in electronic format to include both a pdf and a cadd file format such as .dwg or .dxf.

1. Conformance with Plan

Work shall conform with the plan set entitled, "Site Plan Revision – Land of CruCon Real Estate Holdings, LLC, Tax Map 141, Lot 10 on 67 Whittier Highway (NH Route 25), Town of Moultonborough, Carroll County, NH, Owner of Record: CruCon Real Estate Holdings, LLC, PO Box Cruises, Center Harbor, NH 03226, Deed 3143/694, final revision date 10 July 2014", prepared by Ames Associates, 164 NH Route 25, Meredith, NH.

2. Amendments

Any modification to the original approved plans created by Ames Associates titled "Site Plan Revision – Land of CruCon Real Estate Holdings, LLC, Tax Map 141, Lot 10 on 67 Whittier Highway (NH Route 25), Town of Moultonborough, Carroll County, NH, Owner of Record: CruCon Real Estate Holdings, LLC, PO Box Cruises, Center Harbor, NH 03226, Deed 3143/694, final revision date 10 July 2014", prepared by Ames Associates, 164 NH Route 25, Meredith, NH., and any modification of any condition of this approval, together with previous approvals unless otherwise specified in this decision, must receive the prior approval of the Planning Board, unless deemed insignificant by the Town Planner.

3. Endorsement of Plan

Following the vote of approval by the Planning Board, and the statutory thirty (30) day appeal period in accordance with RSA 677:15, the Planning Board Chairman shall sign the approved site plan set, subject to conditions precedent of this approval, which shall be recorded at the Moultonborough Town Hall, Development Services Office. The conditions of approval of this site plan review shall be placed on the final plans, or this decision shall be recorded at the Carroll County Registry of Deeds, in accordance with RSA 676:3 (III), within ninety (90) days of signing of the plans by the Planning Board Chair and prior to any construction commencing. Copies of all signed and recorded documents shall be provided to the Town at the applicant's expense within 30 days of recording.

4. Transfer of Ownership

Within five (5) days of transfer of ownership of the site, the Applicant, their successors or assigns, shall notify the Board in writing of the new owner's name and address. The terms, conditions, restrictions and/or requirements of this decision shall be binding on the new owner and its successors and/or assigns.

5. Progress Reports

The owner shall submit reports of the progress of the site's development within five (5) business days of receiving a request from the Planning Board or Town Planner.

6. Construction Practices

All construction shall be carried out in accordance with Town ordinances, Site Plan Regulations, and the State of NH Standard Specifications, as well as any other pertinent rules and regulations. Additionally, all staging of materials and equipment shall be on-site, and no

equipment or materials not directly used in the construction of the site shall be located off the site.

7. Construction Requirements

- a. All construction will occur on site; no construction will occur or be staged within Town rights of way.
- b. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the Owner prior to the issuance of a Certificate of Occupancy for the site.
- c. All construction shall occur between the hours of 6:00 am and 9:00 pm as required by the Town of Moultonborough Unnecessary Noise Ordinance (Section 10.2(6)).
- d. The applicant shall clean construction vehicles before they exit the construction site, and clean and sweep all streets affected by their construction truck traffic as necessary.

8. Fire Department

All work shall comply with the requirements of the Moultonborough Fire Department as affected by this decision.

9. Code Enforcement Officer

A Certificate of Occupancy (CO) shall be required for this project/development/site plan. A CO application and sign-off sheet shall be submitted, and final inspections requested by the applicant/owner at project completion as the process to obtain a CO. All work shall comply with the requirements of the Code Enforcement Officer as affected by this decision.

10. Utilities

Any utility installation shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of a Building Permit.

11. Lighting

All lighting shall be in conformance with the approved plan, the Town of Moultonborough Zoning Ordinance and Site Plan Regulations.

12. Signage

Any proposed signage shall be in compliance with the Town of Moultonborough Zoning Ordinance, Article 5, and shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy for the site. A sign permit application is required.

13. As-built Plans

As-built plans, stamped by a New Hampshire Licensed Land Surveyor and if applicable a New Hampshire Licensed Professional Engineer, shall be submitted to the Development Services Office and the Road Agent prior to the issuance of a Certificate of Occupancy for the site.


14. Testimony and Representation at Public Meetings

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) and Public Meeting(s) shall be incorporated into this approval and made part of this Notice of Decision.

15. Violations

Violations of any condition of this decision shall result in placement of a Stop-Work Order or a Cease and Desist Order, as appropriate, on the property by the Code Enforcement Officer, unless the violation of such condition is cured within fourteen (14) days. Outstanding violations of the approved plans or conditions of approval may result in the revocation of the certificate of occupancy (CO) by the Code Enforcement Officer or of this approval by the Planning Board after due course of a required compliance hearing.

This decision shall not take effect until thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, it is recorded in the Carroll County Registry of Deeds, in accordance with RSA 677:15.



Josiah H. Bartlett
Chairman, Planning Board

Date 30 July 2014